The Petition for Rulemaking, RM-11831 should be rejected. I am a radio amateur using digital modes for communications on the high seas with shore-based station. This communication includes emergency response as well as communication of an emergency.

Based on my experience, analog transmission and associated transcription are significantly slower, error prone, and less flexible than digitally encoded transmissions. Any rule changes that have the effect of burdening or prohibiting use of digital modes severely compromises my personal safety and increases public safety risk primarily because digital modes enable communication with low signal strength and high background noise. In an emergency I doubt my ability to communicate effectively keying and receiving Morse code, and I suspect most of my fellow ham operators would similarly be put in a very compromised position.

I strongly content the proposed deletion of 97.211(c) is unnecessary. All digital modes I am familiar with are operator induced and operator controlled. When engaging in such transmissions, I am operating under the conditions of my licensure, which includes avoiding interference. The use of one of the most common digital modes, namely -- Pactor modes 2,3, (as well as 4 internationally) is well within the bandwidth allocation for frequencies used. And use of the radio spectrum is already managed by the local frequency coordinator.

The proposed intent of the deletion of 97.211(c) would seem to disallow use of "automatic" aspects of the operator-initiated transmission. The regulatory text "(c)(1) The station is responding to interrogation by a station under local or remote control" is key for the use of digital modes. If that regulation is deleted, currently used digital modes would be disallowed, causing an increased risk to public safety during disaster response.

If there is any issue with 97.211(c), it may be ambiguity of what constitutes an "ADCS". Rather than a rule change, changes in guidance material would be a more appropriate way to distinguish between ADCS and the other digital modes already under widespread use, including those used for disaster relief.

Regarding the proposed change to 97.309(a)(4): The digital transmissions already are monitorable and decodable. The phrase "monitored in its entirety" is not defined and subject to ambiguity. If construed to prohibit the use of digital modes that require hardware or firmware to perform the encoding or decoding of the digital signal, this may prohibit some and possibly all existing digital modes, endangering public safety. Requiring the technical characteristics of the encoding to be publicly available should be enough to meet the regulatory intent. In addition, the phrase "with freely available open source software" is excessive and will create unnecessary burden. The is a subset of the "documented publicly" phrase already in the regulation. It is more restrictive than the existing "documented publicly" standard, reducing the ability to use digital modes and thereby creating increasing public safety risk during disaster response.

Taken literally, the language would inhibit any use of new digital protocols or changes to existing protocols, because having open source would not be available until the digital protocol has been mature for a significant period. If applied retroactively it would prohibit many of the l existing digital protocols.

Sincerely,

Donald Joyce KM4VTS